GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Environment, Forests, Science & Technology Department - Consent Fee for Establishment and Consent Fee for Operation - Fresh/Renewal of Consent for Oil & Gas Sector and Mining Sector - projects/facilities/activities etc., under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 by the Andhra Pradesh Pollution control Board (APPCB) - Notification - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.I) DEPARTMENT.

G.O.Ms.No.10 **Dated:14.02.2023.**
Read the following:-

1. G.O.Ms.No.157, Environment, Forests, Science & Technology (Env) Department, dated.22.11.1997.
2. G.O.Ms.No.13, Environment, Forests, Science & Technology (Sec.I) Department, dated.26.02.2021.
3. From the Member Secretary, APPCB, Lr.No.APPCB/Accts/Consent fee/2018, dated:28.12.2022.

ORDER:

In the G.O. 1st read above, orders have been issued prescribing the rates of Consent Fee for Establishment (CFE) and Consent Fee for Operation (CFO) / Renewal, chargeable by the Andhra Pradesh Pollution Control Board (APPCB). No revision of fees has been effected since 1997 i.e., for 23 years from 1997 to till issuing orders in the G.O. 2nd read above.

2. In the G.O. 2nd read above, orders have been issued prescribing the rates of Consent Fee for Establishment (CFE) and Consent Fee for Operation (CFO) for Fresh / Renewal applications of Oil & Gas Sector and Mining Sector - projects / facilities / activities etc., under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 chargeable by the Andhra Pradesh Pollution Control Board (APPCB) to meet the mandated functions under the above Acts.

3. Several representations have been received by the Government from Mining Associations and Oil & Gas Companies stating that the fee structure issued in the G.O. 2nd read above, is high and requested to revisit the consent fee structure. Further, writ petitions Nos. 6218, 19494, 22242, 22606, 23053, 23100, 25835, 28000 of 2021 have been filed in the Hon'ble High Court of Andhra Pradesh challenging the orders issued vide G.O. 2nd read above. On reference from the Government, the Andhra Pradesh Pollution Control Board has examined the Consent fee structure in detail and furnished comprehensive proposals in the letter 3rd read above.

4. Keeping in view of the representations and writ petitions filed before the Hon'ble High Court of Andhra Pradesh and also proposals furnished by the Andhra Pradesh Pollution Control Board (APPCB) in the letter 3rd read above, Government after careful examination of the matter hereby decide to revise the Consent fee orders issued in the G.O. 2nd read above. However, the present revision shall be subject to outcome of the above referred writ petitions.

5. Accordingly, the following notification shall be published in the extra-ordinary issue of the Andhra Pradesh Gazette, dated: 14.02.2023.

NOTIFICATION

In exercise of the powers conferred under section 64 read with sub-section (2) of section 25 of the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974) and section 54 read with sub-section (2) of section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (Act 14 of 1981) and in supersession of the orders issued in G.O.Ms.No.13, Environment, Forests, Science & Technology Department, dated: 26th February, 2021, the Government hereby revise the Consent Fee for Establishment (CFE) and Consent Fee for Operation (CFO) for Fresh / Renewal applications from Oil & Gas Sector and Mining Sector - projects / facilities / activities etc., by the Andhra Pradesh Pollution Control Board as follows:

(PTO)

(i) The revised Consent Fee for Establishment is as detailed in Annexure-I of this notification.

(ii) The revised Consent Fee for Operation Fresh / Renewal is as detailed in Annexure-II of this notification.

The revised rates of consent fee payable by the Oil & Gas Sector, Mining Sector - projects/facilities/activities etc., shall come into force from the date of publication of this notification in the Andhra Pradesh Gazette.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing & Stationary and Stores Purchase, Vijayawada (with a request to publish the notification in the extraordinary issue of Andhra Pradesh State Gazette and to furnish 50 copies to Government).
The Chairman, Andhra Pradesh Pollution Control Board, Vijayawada.
The Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada.
Copy to:-
All the District Collectors in Andhra Pradesh State.
The Industries & Commerce Department, A.P. Secretariat, Velagapudi.
The Municipal Administration and Urban Development Department, A.P. Secretariat, Velagapudi.
The Commissioner of Industries, A.P., Vijayawada.
The Managing Director, A.P.State Finance Corporation, Vijayawada.
The Secretary to Government of India, Ministry of Environment, Forest & Climate Change (MoEF&CC), Indira Paryavaran Bhavan, Jor Bagh Road, Ali gunj, New Delhi.
The Chairman, Central Pollution Control Board, New Delhi.
The Commissioner of Information and Public Relations, Andhra Pradesh, Vijayawada.
The PS to Secretary to CM.
The PS to Minister (Energy, EFS&T, M & G).
The PS to Spl. Chief Secretary (EFS&T).
Sf/Sc (Computer No.1141726).

// FORWARDED::BY ORDER //

SECTION OFFICER

Annexure-I

REVISED CFE FEE STRUCTURE

A. CONSENT FOR ESTABLISHMENT (CFE) FOR OIL & GAS SECTOR UNDER WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 AND THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981:

Sl.No.	Activity	CFE Fee
1.	Oil & Gas exploration & development activities:	Fixed fee of Rs.25 Lakhs for each facility irrespective of the project cost.
2.	Oil & Gas production & processing (including pre-processing) activity:	Rs.0.10/- (Ten paise) per Standard Cubic meter of Natural Gas/Crude Oil *

Note:

1. Consented capacity per annum shall be taken into consideration for calculation of fee.*
2. Fee once collected is not refundable. In case the CFE application is rejected, the fee shall be adjusted for the next CFE application filed by the same management.

B. CONSENT FOR ESTABLISHMENT (CFE) FOR MINING SECTOR UNITS UNDER WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 AND THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981:

Sl. No.	Material	CFE fee
1.	Gravel, Vermiculite, Limestone, Road Metal & Building stone, Silica, Slate Stone	Rs. 2.50 (Two rupees fifty paise) per m^3 of production (or) Rs. 5,000/- per acre of mine lease area, whichever is higher
2.	Dolomite, Feldspar, Garnet, Quartz	Rs. 5/- per m^3 of production (or) Rs. 10,000/- per acre of mine lease area, whichever is higher.
3.	Laterite, Bentonite, China Clay, Pyrophylite, white clay, Fire Clay, Ball clay, Mosaic chips	Rs. 10/- per m^3 of production (or) Rs.20,000/- per acre of mine lease area, whichever is higher
4.	Iron ore, Steatite, Granite, Color Granite, Manganese, Barites, Black Granite, Mica, Gold, Uranium, Silver.	Rs. 15/- per m^3 of production (or) Rs. 30,000/- per acre of mine lease area, whichever is higher
5.	Any other material not listed above	Rs. 10/- per m3 of production (or) Rs. 20,000/- per acre of mine lease area; whichever is higher
6.	Mineral prospecting and exploration	Rs. 5,000/- per acre of the area, irrespective of the material.

Note:

1. Consented capacity per annum shall be taken into consideration for calculation of Consent fee.
2. Consent fee once collected is not refundable. In case the CFE application is rejected, the Consent fee shall be adjusted for the next CFE application filed by the same management.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

Annexure-II

REVISED CFO FEE STRUCTURE

A. ANNUAL CONSENT FEE FOR CONSENT FOR OPERATION (CFO) FRESH / RENEWAL FOR OIL & GAS SECTOR UNDER WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 AND THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981:

Sl.No.	Activity	CFO Fee
1.	Oil & Gas exploration & development activities	Fixed fee of Rs. 12.5 Lakhs per year irrespective of the project cost.
2.	Oil & Gas production & processing (including pre-processing) activity	Rs. 0.10 (Ten paise) per Standard Cubic meter of Natural gas/Crude Oil*

Note:

1. Consented capacity per annum shall be taken into consideration for calculation of consent fee *
2. Consent fee once collected is not refundable. Excess consent fee paid, if any, will be adjusted while issuing CFOs in future.

B. ANNUAL CONSENT FEE FOR CONSENT FOR OPERATION (CFO) FRESH / RENEWAL FOR MINING SECTOR UNITS UNDER WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 AND THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981:

Sl.No.	Material	CFO fee per annum
1.	Gravel, Vermiculite, Limestone, Road Metal & Building stone, Silica, Slate Stone	Rs. 1.25 (One rupee twenty five paise) per m^3 of production (or) Rs. 2,500/- per acre of mine lease area, whichever is higher
2.	Dolomite, Feldspar, Garnet, Quartz	Rs. 2.50 (Two rupees Fifty paise) per m^3 of production (or) Rs. 5,000/- per acre of mine lease area, whichever is higher
3.	Laterite, Bentonite, China Clay, Pyrophylite, white clay, Fire Clay, Ball clay, Mosaic chips	Rs. 5/- per m^3 of production (or) Rs. 10,000/- per acre of mine lease area, whichever is higher
4.	Iron ore, Steatite, Granite, Color Granite, Manganese, Barites, Black Granite, Mica, Gold, Uranium, Silver.	Rs. 7.50 (Seven rupees fifty paise) per m^3 of production (or) Rs. 15,000/- per acre of mine lease area, whichever is higher
5.	Any other material not listed above	Rs. 5/- per m^3 of production (or) Rs. 10,000/- per acre of mine lease area; whichever is higher
6.	Mineral prospecting and exploration	Rs. 2,500/- per acre of the area, irrespective of the material.

Note:

1. Consented capacity per annum shall be taken into consideration for calculation of consent fee.
2. Consent fee once collected is not refundable. Excess consent fee paid, if any, will be adjusted while issuing CFOs in future.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT